

KENTUCKY DEPARTMENT OF EDUCATION
STAFF NOTE

Action/Discussion Item:

704 KAR 19:001, Alternative Education Programs (Final) (new regulation)

Applicable Statute or Regulation:

KRS 156.070, KRS 156.160

Action Question:

Should the Kentucky Board of Education (KBE) give final approval to 704 KAR 19:001, the proposed new regulation regarding Alternative Education Programs?

History/Background:

Existing Policy. The vision of the Kentucky Board of Education (KBE) is to ensure every child graduates from high school proficient and prepared for success, college/career ready. In order to reach this goal for all students, focus must be put on alternative education programs.

During the 2011 regular session, HB 225 included provisions on raising the compulsory school age attendance from 16 to 18 and providing regulatory review for alternative education. While the legislation did not pass, the Kentucky Department of Education is moving forward with recommending that the KBE promulgate a regulation to provide a better framework for local districts to address issues surrounding alternative education programming.

The regulation includes a definition for alternative education programs, preliminary data to be tracked by local districts and how districts will catalogue expenditures.

There were a few slight wording changes to the previous draft that was reviewed by the board in August. However, one clarification is significant in that the regulation requires schools to invite the student's parent or legal guardian to participate on the Alternative Education Placement Team. Parents may choose not to participate; however, schools should encourage active involvement. In addition, due to the possibility of confusion between alternative education programs and KECSAC programs (addressed by a separate statute and regulation), references to placement of "state agency children" have been removed from the regulation.

Staff Recommendation(s) and Rationale:

Staff recommends that the KBE give final approval to 704 KAR 19:001. This new regulation provides for better identification, tracking and consistency across alternative education programs that serve some of our most in-need students.

Impact on Getting to Proficiency:

In order for all students to be proficient and prepared for success, we need to enhance alternative education programs throughout the state so that the needs of all students can be met.

Groups Consulted and Brief Summary of Responses

Local Superintendents Advisory Council
The Kentucky Educational Collaborative for State Agency Children
Kentucky School Boards Association
Children's Law Center

The above groups were consulted or provided time to give input on the draft regulation. While not all of the recommendations have been included, many of the recommendations included additional emphasis on parental involvement and clarifying the difference between alternative education programs and KECSAC programs (addressed by a separate regulation). These changes have been made to the regulation to reflect these suggestions.

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Commissioner of Education

Date:

October 2011